



#8 1641-
For 24 PATENT \$
Attorney Docket No.: A-67851-2/DJB/RMS/DCF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CHEE et al.

Serial No. 09/513,362

Filed: February 25, 2000

For: NUCLEIC ACID SEQUENCING
USING MICROSPHERE ARRAYS

) Examiner: UNKNOWN

) Group Art Unit: 1643

RECEIVED
FEB 23 2001
TECH CENTER 1600/2900

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on:

Dated: 2-16-01

Signed: Christine P. Peters

Christine P. Peters

INFORMATION DISCLOSURE STATEMENT AND
STATEMENT OF RELATEDNESS

Assistant Commissioner
for Patents
Washington, DC 20231

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicant wishes to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO-1449. Copies of the references are enclosed.

02/22/2001 SSANDARA 00000005 09513362

01 FC:126

180.00 OP

With respect to patent applications, the applicants point out their duty under M.P.E.P. §2001.06(b) to disclose relevant patent applications of which they are aware. To this end, the applicants draw the Examiner's attention to the following patent applications:

1. United States Patent Number 6,023,540, issued February 8, 2000; U.S.S.N. 09/151,877, filed September 11, 1998; U.S.S.N. 09/450,829, filed November 29, 1999.
2. U.S.S.N. 08/944,850, filed October 6, 1997; U.S.S.N. 09/287,573, filed April 6, 1999.
3. U.S.S.N. 09/189,543, filed November 10, 1998; U.S.S.N. 09/344,526, filed June 24, 1999; U.S.S.N. 09/748,706, filed December 22, 2000.
4. U.S.S.N. 09/256,943, filed February 24, 1999; and U.S.S.N. 09/473,904, filed December 28, 1999; U.S.S.N. 09/606,369, filed June 28, 2000.

None of the foregoing references are believed to disclose the invention as claimed. Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

Serial No.: 09/513,362
Filed: February 25, 2000

The Commissioner is authorized to charge any additional fees which may be required,
or credit any overpayment to Deposit Account No. 06-1300 (Our Order No.
A-67851-2/DJB/RMS/DCF).

Respectfully submitted,

FLEHR, HOHBACH, TEST,
ALBRITTON & HERBERT

Dated: February 15, 2001

David C. Foster

David C. Foster
Reg. No. 44,685

Four Embarcadero Center
Suite 3400
San Francisco, CA 94111-4187
Telephone: (415) 781-1989
1043848